

REMARKS

Prior to continued examination, claim 9 is rewritten in independent form. Claims 1 and 8 are cancelled, without prejudice. Claims 2-5 and 7 are amended to depend from claim 9. No new matter is introduced by this Amendment. Claims 2-5, 7, and 9 remain before the Examiner for further consideration.

Glove claim not rejected

Applicants gratefully note that claim 9 – drawn to the glove embodiments of Applicants' invention – was not rejected in the Final Rejection dated May 29, 2009. Inasmuch as all of the claims are now limited to the glove embodiments of the invention, it is believed that all of claims 2-5, 7, and 9 in their current form are distinguished over the prior art.

Prior art rejections

Claims 1, 2, 4, 5, and 8 have been rejected under 35 U.S.C. 102(b) as being anticipated by Osen et al. (US 2003/0144400). Claims 1-3 have been rejected under 35 U.S.C. 102(e) as being anticipated by Toya et al. (US 2007/0112141). Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Osen et al. (US 2003/0144400). The rejections of record do not apply to the presently claimed embodiments of Applicants' invention.

Dibenzoyl peroxide

The present invention requires a dip-forming composition that comprises a conjugated diene rubber latex having a specified composition and *a dibenzoyl peroxide*. The Osen disclosure suggests the *equivalence* of 2,5-dimethyl-2,5-di-tert-butylperoxyhexane, 2,5-dimethyl-2,5-di-tert-butylperoxyhexane-3, di-tert-butyl peroxide, **dicumyl peroxide**, α , α' -di-tert-butylperoxydiisopropyldiisopropylbenzene, **dibenzoyl peroxide**, and 1,1-di-tert-butylperoxy-3,3,5-trimethylcyclohexane. See paragraphs [0018]-[0025] therein.

Data in the Examples and Comparative Examples of Applicants' specification

demonstrate that not all of the organic peroxides disclosed in Osen (or in Toya) provide the desired beneficial properties. For instance, in Comparative Example 1, dicumyl peroxide is employed as the organic peroxide, and the rubber gloves obtained exhibit inferior resistance to flexing fatigue. Therefore, Applicants' selection of dibenzoyl peroxide from among all of the peroxides taught by Osen unexpectedly provides beneficial properties. This would not have been obvious to a person of ordinary skill in the art at the time that Applicants' invention was made.

Information disclosure statement

Applicants respectfully request consideration of the Information Disclosure Statement which was filed in this application on June 4, 2009.

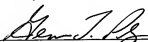
Contact information

If there are any questions concerning this application, please contact Richard Gallagher, Registration No. 28,781, at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: August 31, 2009

Respectfully submitted,

By  #48,501

pg Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant